

Town of Horicon Planning Board

Minutes of December 19, 2007 - approved

Members Present: Chairperson Bill Bruce, Jim Remington, Doug Paton, Ruth Ann Assmann, Alternate Dennis Doyle and Georgia McMeekin

Others Present: Town Counsel Mark Schachner, Town Board Member Bob Olson, Zoning Administrator Gary McMeekin

Guests Present: Ken Dott, Thomas Ulasewicz, Dan Smith, Tom Johanson, Jim Peck, Steven L. Smith, Jeff Anthony, Rob Fraiser and others

Public Hearings were called to order at 7:30 PM

File # 2007-33SD Tax Map 38.16-1-8.2 James Malanchuck seeking a 2 lot subdivision on parcel located on Horicon Birches Rd in the R1-1.3 acre zone. Bill Bruce stated that the applicant is splitting the lots and merging them with the adjoining owners. Dennis Doyle stated that the applicant will make two non-conforming lots into two conforming lots. Being no further comments or questions, Dennis Doyle made a motion to close the public hearing, 2nd by Doug Paton. All Ayes.

File # 2007-34CU Tax Map 105.2-1-1.2 Berness Bolton seeking a Conditional Use to build a single family dwelling on parcel located at 49 Hayesburg Road in the RRD-3.2 acre zone. Bill Bruce asked if anyone had any comments or questions. Being no comments or questions Doug Paton made a motion to close the public hearing, 2nd by Jim Remington. All Ayes.

Regular Meeting of the Planning Board was called to order by Chairperson, Bill Bruce. A motion to approve the minutes as corrected was made by Doug Paton, 2nd by Jim Remington. All Ayes.

Unfinished Business:

File # 2007-33SD Tax Map 38.16-1-8.2 James Malanchuck seeking a 2 lot subdivision on parcel located on Horicon Birches Rd in the R1-1.3 acre zone. Dennis Doyle stated that he would like to see the deeds to the parcels modified to include language stating that the lots could not be subdivided and resold in the future. After a brief discussion, Dennis Doyle made a motion to approve the 2 lot subdivision based on the modification of the deeds creating two conforming lots out of three non-conforming lots, consistent with the master plan objective, 2nd by Doug Paton. All Ayes.

File # 2007-34CU Tax Map 105.2-1-1.2 Berness Bolton seeking a Conditional Use to build a single family dwelling on parcel located at 49 Hayesburg Road in the RRD-3.2 acre zone. After a very brief discussion, Jim Remington made a motion to approve the Conditional Use, 2nd by Ruth Ann Assmann. All Ayes.

Ruth Ann Assmann recused herself from the Brant Lake Creek file and sat in the audience.

File # 2005-29 Tax Map 88.-2-10, 88.7-1-20 and 88.7-1-10 Brant Lake Creek LLC seeking a 16 lot subdivision located at 6732 and 6744 State Rte 8 in the CR-20,000 zone. Bill Bruce read the most recent submission received from the applicant, dated December 17, 2007 including reading section 6.30 page 18 of the subdivision regulations regarding Fire Dept and Board of Education notification of a major subdivision. Lengthy discussion ensued regarding the necessity of a public hearing. Doug Paton stated that he has read the recent submission but not thoroughly. Bill Bruce stated that he has no input from the Fire Dept and suggest a public hearing be held next month. Dennis Doyle stated that the Fire Dept is most important and that he has questions as he received the packet at 12:00 this afternoon and read through as best he could, and there is no specific letter from the APA that this project as a whole is non jurisdictional. Brief discussion ensued regarding a non-jurisdictional determination from the APA. Lengthy discussion ensued regarding the number of lots versus the number of docks. Dennis Doyle stated that this board would like to clarify the purpose and intent with regards to docking rights and how the HOA would be handling the situation. Thomas Ulasewicz stated that the offering plan will be submitted to the Attorney General's Office and that this board had no authority to approve/disapprove the offering plan. Dennis Doyle stated that the applicant needs to be explicit regarding the docking situation as it may not be an issue now but could become an issue in the future. Jeff Anthony stated that it could be made clear by stating first come first serve. Mark Schachner stated that the board does not have a strong opinion on how to handle this situation, the board just wants it to be clear. Lengthy discussion ensued regarding the DEC review of the Storm Water Runoff Plan. Dennis Doyle stated that he assumes that the plan agrees with the state regulations and has been verified. After a brief discussion, Bill Bruce stated that this board would like a non-jurisdictional determination from the APA, clarification on the docks in the Offering Plan and letters from the Fire Dept and Board of Education regarding knowledge of the project and any concerns they may have. Doug Paton made a motion to hold a public hearing, requesting the applicant provide a non-jurisdictional determination from the APA, clarification on the docks in the Offering Plan and letters from the Fire Dept and Board of Education, 2nd by Dennis Doyle. All Ayes. After the motion was passed Tom Ulasewicz stated his objection to the holding of the public hearing.

Ruth Ann Assmann returned to the table.

New Business:

File # 2007-37SD Tax Map 55.-2-14 Brant Lake Camp seeking a 2 lot subdivision, parcel is located at 7586 State Rte 8 in the R1-1.3 and LC-42.6 acre zones. Dan Smith representing the applicant explained that Bob Gersten, one of the principal owners of Brant Lake Camp would like to separate his cabin from the camp property. After a brief discussion, Doug Paton made a motion to deem the application complete and schedule a public hearing, 2nd by Dennis Doyle.

File #2007-38CU Tax map 70.-2-1 Beadnell, Andy and Susan seeking a Conditional Use to build 6 - 3 sided structures (sheds) for agricultural use on parcel located at 3765 East Schroon River Road in the RRD-10 acre zone. After a brief discussion Ruth Ann Assmann made a motion to deem the application complete and schedule a public hearing, 2nd by Doug Paton. All Ayes

Board Privilege:

Road Standards: Bill Bruce stated that Chazen Companies was contacted to update the road standards and they will done at no charge to the town.

Master Plan: A meeting with LaBerge Group and Dr. Lamb will take place on Tuesday Jan, 8th at 1 PM to discuss the small cities grant extension.

Section 14.10: Lengthy discussion ensued and new language was drafted. “Lots and subdivisions that qualify as “pre-existing” under this local law include but are not limited to the lots and subdivisions listed in Appendix E. Future determinations of “pre-existing” shall be made by the Town Planning Board.” Dennis Doyle made a motion to recommend to the town board that Section 14.10 be amended as stated, 2nd by Ruth Ann Assmann. All Ayes.

Planning Board replacement: Bill Bruce stated that Steven L Smith has resigned from the Planning Board as of 12/1/07 and asked if the two alternates would be willing to take his position. Dennis Doyle and Georgia McMeekin declined. Bill Bruce then stated that there are two applications to the Planning Board, Harry Balz and Joe Dooris. Ruth Ann Assmann made a motion to recommend that the Town Board choose Harry Balz as the replacement board member, 2nd by Bill Bruce. The board was polled Ruth Ann Assmann Aye Bill Bruce Aye Doug Paton Aye Dennis Doyle Aye Jim Remington Nay. The motion was passed by majority vote. Town Board member Bob Olson stated that he believes the board will be advertising for the position.

Bill Bruce thanked the board for their “double duty” all year long with regards to the Planning Board and the Master Plan meetings.

Being no further business, Chairperson, Bill Bruce adjourned the meeting at 8:55 PM

Respectfully Submitted
Christine Smith-Hayes, Secretary